

THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY

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DANIELLE GREEN,

Plaintiff,

v.

COUNTY OF GLOUCESTER, et al.,

Defendants.

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HON. JEROME B. SIMANDLE

Civil No. 07-1259 (JBS)

**ORDER**

This matter having come before the Court on the motions to dismiss pursuant to Fed. R. Civ. P. 12(b)(5) by Defendants County of Gloucester, Gloucester County Board of Chosen Freeholders, Gloucester County Department of Correctional Services, Gloucester County Sheriff's Department, John Tevoli, W. Stanley Nunn, Frank J. DeMarco, and Robert Balicki [Docket Item 4] and Defendant Prison Health Services, Inc. [Docket Item 5], for Plaintiff's failure to timely serve process on them within the 120 days prescribed by Fed. R. Civ. P. 4(m); the Court having reviewed the submissions of the parties in support thereof and opposition thereto; for the reasons explained in the Opinion of today's date; and for good cause shown;

IT IS this 14th day of **December, 2007** hereby

ORDERED that the motions to dismiss [Docket Items 4 and 5] shall be, and hereby are, **DENIED**; and

IT IS FURTHER ORDERED that Plaintiff's time to serve Defendants is extended, *nunc pro tunc*, pursuant to this Court's discretion under Rule 4(m).

**s/ Jerome B. Simandle**

Jerome B. Simandle  
United States District Judge